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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3827

02/15/2024 Authored by Keeler, Berg, Kozlowski, Gomez and Hollins
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; requiring reporting on student attendance; amending
1.3 Minnesota Statutes 2022, section 120A.22, subdivisions 12, 13; Minnesota Statutes
1.4 2023 Supplement, section 123B.147, subdivision 3; proposing coding for new law
1.5 in Minnesota Statutes, chapter 127A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2022, section 120A.22, subdivision 12, is amended to read:

1.8 Subd. 12. Legitimate exemptions. (a) A parent, guardian, or other person having control
1.9 of a child may apply to a school district to have the child excused from attendance for the
1.10 whole or any part of the time school is in session during any school year. Application may
1.11 be made to any member of the board, a truant officer, a school liaison, a counselor, a social
1.12 worker or other student support personnel, a principal, or the superintendent. The school
1.13 district may must state in its school attendance policy that it may ask the student's parent
1.14 or legal guardian to must verify in writing the reason for the child's absence from school.
1.15 A note from a physician or a licensed mental health professional stating that the child cannot
1.16 attend school is a valid excuse. The board of the district in which the child resides may
1.17 approve the application upon the following being demonstrated to the satisfaction of that
1.18 board:

1.19 (1) that the child's physical or mental health is such as to prevent attendance at school
1.20 or application to study for the period required, which includes:

- 1.21 (i) child illness, medical, dental, orthodontic, or counseling appointments;
1.22 (ii) family emergencies;
1.23 (iii) the death or serious illness or funeral of an immediate family member;

2.1 (iv) active duty in any military branch of the United States;

2.2 (v) the child has a condition that requires ongoing treatment for a mental health diagnosis;

2.3 or

2.4 (vi) other exemptions included in the district's school attendance policy;

2.5 (2) that the child has already completed state and district standards required for graduation
2.6 from high school; or

2.7 (3) that it is the wish of the parent, guardian, or other person having control of the child,
2.8 that the child attend for a period or periods not exceeding in the aggregate three hours in
2.9 any week, a school for religious instruction conducted and maintained by some church, or
2.10 association of churches, or any Sunday school association incorporated under the laws of
2.11 this state, or any auxiliary thereof. This school for religious instruction must be conducted
2.12 and maintained in a place other than a public school building, and it must not, in whole or
2.13 in part, be conducted and maintained at public expense. However, a child may be absent
2.14 from school on such days as the child attends upon instruction according to the ordinances
2.15 of some church.

2.16 (b) Notwithstanding subdivision 6, paragraph (a), a parent may withdraw a child from
2.17 an all-day, every day kindergarten program and put their child in a half-day program, if
2.18 offered, or an alternate-day program without being truant. A school board must excuse a
2.19 kindergarten child from a part of a school day at the request of the child's parent.

2.20 Sec. 2. Minnesota Statutes 2022, section 120A.22, subdivision 13, is amended to read:

2.21 Subd. 13. **Issuing and reporting excuses.** The clerk or any authorized officer of the
2.22 board must issue and keep a record of ~~such excuses~~ excused and unexcused absences, under
2.23 such rules as the board may from time to time establish, and report data relating to absences
2.24 to the commissioner in accordance with section 127A.22.

2.25 Sec. 3. Minnesota Statutes 2023 Supplement, section 123B.147, subdivision 3, is amended
2.26 to read:

2.27 Subd. 3. **Duties; evaluation.** (a) The principal shall provide administrative, supervisory,
2.28 and instructional leadership services, under the supervision of the superintendent of schools
2.29 of the district and according to the policies, rules, and regulations of the school board, for
2.30 the planning, management, operation, and evaluation of the education program of the building
2.31 or buildings to which the principal is assigned.

3.1 (b) To enhance a principal's culturally responsive leadership skills and support and
3.2 improve teaching practices, school performance, and student achievement for diverse student
3.3 populations, including at-risk students, children with disabilities, English learners, and gifted
3.4 students, among others, a district must develop and implement a performance-based system
3.5 for annually evaluating school principals assigned to supervise a school building within the
3.6 district. The evaluation must be designed to improve teaching and learning by supporting
3.7 the principal in shaping the school's professional environment and developing teacher
3.8 quality, performance, and effectiveness. The annual evaluation must:

3.9 (1) support and improve a principal's instructional leadership, organizational management,
3.10 and professional development, and strengthen the principal's capacity in the areas of
3.11 instruction, supervision, evaluation, and teacher development;

3.12 (2) support and improve a principal's culturally responsive leadership practices that
3.13 create inclusive and respectful teaching and learning environments for all students, families,
3.14 and employees;

3.15 (3) include formative and summative evaluations based on multiple measures of student
3.16 progress toward career and college readiness;

3.17 (4) be consistent with a principal's job description, a district's long-term plans and goals,
3.18 and the principal's own professional multiyear growth plans and goals, all of which must
3.19 support the principal's leadership behaviors and practices, rigorous curriculum, school
3.20 performance, and high-quality instruction;

3.21 (5) include on-the-job observations and previous evaluations;

3.22 (6) allow surveys to help identify a principal's effectiveness, leadership skills and
3.23 processes, and strengths and weaknesses in exercising leadership in pursuit of school success;

3.24 (7) use longitudinal data on student academic growth as 35 percent of the evaluation
3.25 and incorporate district achievement goals and targets;

3.26 (8) use longitudinal data on student attendance and identify a principal's efforts to address
3.27 the causes of student absenteeism;

3.28 ~~(8)~~ (9) be linked to professional development that emphasizes improved teaching and
3.29 learning, curriculum and instruction, student learning, culturally responsive leadership
3.30 practices, and a collaborative professional culture; and

3.31 ~~(9)~~ (10) for principals not meeting standards of professional practice or other criteria
3.32 under this subdivision, implement a plan to improve the principal's performance and specify
3.33 the procedure and consequence if the principal's performance is not improved.

4.1 The provisions of this paragraph are intended to provide districts with sufficient flexibility
4.2 to accommodate district needs and goals related to developing, supporting, and evaluating
4.3 principals.

4.4 Sec. 4. [127A.22] ATTENDANCE REPORTS.

4.5 Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this
4.6 subdivision have the meanings given.

4.7 (b) "Absent" means not in attendance for a class or school day for any reason, whether
4.8 excused or not. Absent does not apply to participation in extracurricular activities.

4.9 (c) "Chronic absence rate" means the percentage of students in a school that missed ten
4.10 percent or more of school days since the beginning of the school year.

4.11 (d) "Chronically absent" or "chronic absenteeism" means that a student has been absent
4.12 for ten percent or more of classes or school days for any reason, whether excused or not,
4.13 when enrolled for more than ten days.

4.14 (e) "Excessively absent" or "excessive absenteeism" means that a student has ten or
4.15 more unexcused absences, including suspensions, from classes or school days.

4.16 (f) "Excused absence" means absence from a class or school day for an allowable reason
4.17 under a district or school attendance policy.

4.18 (g) "School day" means a portion of a day that is at least one-half of the time that each
4.19 student is expected to be receiving instruction in a school program.

4.20 (h) "Unexcused absence" means an absence from a class or school day for which the
4.21 student does not have an allowable excuse under the district or school attendance policy.

4.22 Subd. 2. State reporting system. (a) The commissioner must establish a reporting system
4.23 for school districts and charter schools to report the following to the commissioner each
4.24 school year for each school site:

4.25 (1) the number of students who were chronically absent and excessively absent;

4.26 (2) the chronic absence rate;

4.27 (3) the average number of excused absences and the reasons for the absences;

4.28 (4) the average number of unexcused absences and the reasons for the absences; and

4.29 (5) the number and percent of students who were absent:

4.30 (i) up to ten percent of classes or school days for any reason;

- 5.1 (ii) between ten and 29 percent of classes or school days for any reason;
- 5.2 (iii) between 30 and 49 percent of classes or school days for any reason; and
- 5.3 (iv) 50 percent or more of classes or school days for any reason.
- 5.4 (b) The data districts and charter schools report to the commissioner must be reported
- 5.5 in the aggregate and disaggregated by:
- 5.6 (1) grade band of kindergarten through grade 5, grades 6 through 8, or grades 9 through
- 5.7 12;
- 5.8 (2) gender;
- 5.9 (3) race or ethnicity;
- 5.10 (4) English learner status;
- 5.11 (5) disability status;
- 5.12 (6) homeless status; and
- 5.13 (7) eligibility for free or reduced-price meals.
- 5.14 (c) The commissioner must report the district and charter school data reported under
- 5.15 this section on the department website.